

## (Caption of Case)

Application of Carolina Water Service  
Inc. for Approval of a Contract with  
Ashworth Development Company and  
Hitchens Development Company, d.b.a.  
Heron Cove Joint Venture to serve  
Evergreen Subdivision

BEFORE THE *189930*  
PUBLIC SERVICE COMMISSION  
OF SOUTH CAROLINA

## COVER SHEET

DOCKET  
NUMBER: 2007 - 384 - WS

(Please type or print)

Submitted by: Benjamin P. MustianSC Bar Number: 68269Telephone: 803-252-3300Fax: 803-771-2410

Other: \_\_\_\_\_

Address: Post Office Box 8416Columbia, SC 29202Email: bmustian@willoughbyhoefer.com

NOTE: The cover sheet and information contained herein neither replaces nor supplements the filing and service of pleadings or other papers as required by law. This form is required for use by the Public Service Commission of South Carolina for the purpose of docketing and must be filled out completely.

## DOCKETING INFORMATION (Check all that apply)

☐ Emergency Relief demanded in petition☐ Request for item to be placed on Commission's Agenda expeditiously☒ Other: \_\_\_\_\_

## INDUSTRY (Check one)

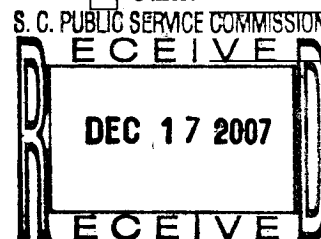
- ☐ Electric  
☐ Electric/Gas  
☐ Electric/Telecommunications  
☐ Electric/Water  
☐ Electric/Water/Telecom.  
☐ Electric/Water/Sewer  
☐ Gas  
☐ Railroad  
☐ Sewer  
☐ Telecommunications  
☐ Transportation  
☐ Water  
☒ Water/Sewer  
☐ Administrative Matter  
☐ Other: \_\_\_\_\_

## NATURE OF ACTION (Check all that apply)

- |  |  |  |
|--|--|--|
| <input type="checkbox"/> Affidavit                 | <input type="checkbox"/> Letter                            | <input type="checkbox"/> Request                   |
| <input type="checkbox"/> Agreement                 | <input type="checkbox"/> Memorandum                        | <input type="checkbox"/> Request for Certification |
| <input type="checkbox"/> Answer                    | <input type="checkbox"/> Motion                            | <input type="checkbox"/> Request for Investigation |
| <input type="checkbox"/> Appellate Review          | <input type="checkbox"/> Objection                         | <input type="checkbox"/> Resale Agreement          |
| <input type="checkbox"/> Application               | <input type="checkbox"/> Petition                          | <input type="checkbox"/> Resale Amendment          |
| <input type="checkbox"/> Brief                     | <input type="checkbox"/> Petition for Reconsideration      | <input type="checkbox"/> Reservation Letter        |
| <input type="checkbox"/> Certificate               | <input type="checkbox"/> Petition for Rulemaking           | <input type="checkbox"/> Response                  |
| <input type="checkbox"/> Comments                  | <input type="checkbox"/> Petition for Rule to Show Cause   | <input type="checkbox"/> Response to Discovery     |
| <input type="checkbox"/> Complaint                 | <input type="checkbox"/> Petition to Intervene             | <input type="checkbox"/> Return to Petition        |
| <input type="checkbox"/> Consent Order             | <input type="checkbox"/> Petition to Intervene Out of Time | <input type="checkbox"/> Stipulation               |
| <input type="checkbox"/> Discovery                 | <input type="checkbox"/> Prefiled Testimony                | <input type="checkbox"/> Subpoena                  |
| <input type="checkbox"/> Exhibit                   | <input type="checkbox"/> Promotion                         | <input type="checkbox"/> Tariff                    |
| <input type="checkbox"/> Expedited Consideration   | <input type="checkbox"/> Proposed Order                    | <input type="checkbox"/> Other: _____              |
| <input type="checkbox"/> Interconnection Agreement | <input type="checkbox"/> Protest                           |  |
| <input type="checkbox"/> Interconnection Amendment | <input checked="" type="checkbox"/> Publisher's Affidavit  |  |
| <input type="checkbox"/> Late-Filed Exhibit        | <input type="checkbox"/> Report                            |  |

Print Form

Reset Form



**WILLOUGHBY & HOEFER, P.A.**

ATTORNEYS & COUNSELORS AT LAW

930 RICHLAND STREET

P.O. BOX 8416

COLUMBIA, SOUTH CAROLINA 29202-8416

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AREA CODE 803  
TELEPHONE 252-3300  
TELECOPIER 256-8062

TRACEY C. GREEN  
SPECIAL COUNSEL

December 14, 2007

\*ALSO ADMITTED IN TX

The Honorable Charles L.A. Terreni  
Chief Clerk/Administrator  
**Public Service Commission of South Carolina**  
Post Office Box 11649  
Columbia, South Carolina 29211

RE: Application of Carolina Water Service, Inc. for Approval of a Contract with  
Ashworth Development Company and Hitchens Development Company, d.b.a.  
Heron Cove Joint Venture to serve Evergreen Subdivision

Dear Mr. Terreni:

Enclosed for filing are the original and five (5) copies of the Affidavit of Publication in the above-referenced matter. By copy of this letter, I am serving a copy of these documents upon all parties of record and enclose a Certificate of Service to that effect.

I would appreciate your acknowledging receipt of this document and Certificate by file-stamping the extra copies that are enclosed and returning them to me in the enclosed self-addressed envelope.

If you have any questions or if you need any additional information, please do not hesitate to contact us.

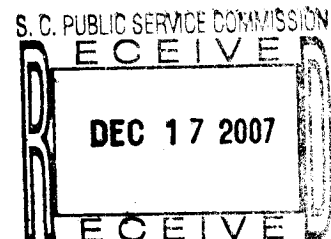
Sincerely,

**WILLOUGHBY & HOEFER, P.A.**



Benjamin P. Mustian

BPM/cf  
Enclosures  
cc: Jeffrey M. Nelson, Esquire



Attorney Willoughby + Haefel, P.A.

# The Herald

ROCK HILL, S.C.

Cost of Advertisement \$             
Cost of Affidavit \$             
TOTAL \$ 0

STATE OF SOUTH CAROLINA  
County of York

I, Dale Richardson

of The Herald, a newspaper published in York  
County, South Carolina, being duly sworn, certify  
that the attached advertisement of:

## LEGAL NOTICE

was duly published in the afore said newspaper once  
a week for / consecutive week(s)

beginning with the  
issue dated 11/17 2007

(Signed) Dale Richardson of The Herald

Sworn to and subscribed before me this 17th  
day of Nov 2007

Linda C. Freull  
Notary Public for South Carolina

My commission expires           

Attorney

No. 08553329 \$           

Filed with

On (date) 11/17 2007

CERTIFICATION  
OF PUBLICATION OF LEGAL NOTICE IN

# The Herald

Rock Hill, York Co., S.C. for / consecutive  
week(s), beginning 11/17 2007

vs.

Paid

Date 20

EXTRA CHARGE FOR LOST  
OR  
DUPLICATE AFFADAVITS

THIS IS AN IMPORTANT  
LEGAL DOCUMENT.  
PLEASE DO NOT DESTROY!

PUBLIC SERVICE COMMISSION OF SOUTH CAROLINA  
DOCKETING DEPARTMENT  
NOTICE OF FILING  
DOCKET NO. 2007-384-W/S

APPLICATION OF CAROLINA WATER SERVICE, INC. FOR APPROVAL OF A CONTRACT WITH ASHWORTH DEVELOPMENT COMPANY AND HITCHENS DEVELOPMENT COMPANY, D.B.A. HERON COVE JOINT VENTURE TO SERVE EVERGREEN SUB-DIVISION

Carolina Water Service, Inc. ("Applicant" or "Utility") has filed an Application with the Public Service Commission of South Carolina ("Commissioner"), pursuant to 26 S.C. Code Ann. Regs. 105-541 and 105-743 (Supp. 2006) for approval of a contract between it and Ashworth Development Company and Hitchens Development Company, D.B.A. Heron Cove Joint Venture ("Developer").

The Applicant is a public utility currently authorized to operate water and wastewater systems under the jurisdiction of the Commission in York County, as well as certain other counties in South Carolina. The Applicant and the Developer seek the Commissioner's approval of an agreement they entered into on October 8, 2007 ("Agreement").

The Applicant proposes to serve a residential development to be called "Evergreen Subdivision", which will consist of approximately 100 single-family detached lots. The Developer is the owner of a certain real estate parcel and the portion being developed is located adjacent to Forest Oaks and River Hills Communities in Lake Wylie, York County, South Carolina. The Agreement provides, among other things, that the Developer will construct all of the necessary water and sewer facilities ("Facilities") required to connect the proposed development to the Utility's River Hills System, acquire all necessary easements and rights-of-way ("Easements") and convey such Facilities and Easements to the Applicant.

Accordingly, the Applicant has filed the proposed development is within the jurisdiction of the Commission. The proposed development is within the area encompassed by the Application to York County. A copy of the Company's Application can be obtained from the Commission at the following address: Public Service Commission of South Carolina, Docketing Department, 101 Executive Center Drive, Columbia, South Carolina 29210. Additionally, the Application is available on the Commission's website at [www.psc.sc.gov](http://www.psc.sc.gov) and is available from John M. S. Haefel, Esquire or Benjamin P. Austin, Esquire, Willoughby + Haefel, P.A., Post Office Box 8416, Columbia, South Carolina 29210.

A public hearing, if scheduled, will be held in the Commission's Hearing Room, Snygar Business Park, Saluda Building, 101 Executive Center Drive, Columbia, South Carolina, for the purpose of receiving testimony and other evidence from all interested parties regarding this Application. The time and date of this hearing will be furnished to all interested parties at a later date.

Any person who wishes to participate in this matter, as a party of record with the right of cross-examination should file a Petition to Intervene in accordance with the Commission's Rules of Procedure and the Rules of Evidence, on or before December 26, 2007. The Petition should be filed with the Docketing Department, in writing, at the address below, for his presentation. Please include an email address for receipt of future Commission correspondence in the Petition to Intervene. Please refer to Docket No. 2007-384-W/S.

Any person who wishes to testify and present evidence at the hearing, if scheduled, should notify the Docketing Department, in writing, at the address below, the Office of Regulatory Staff, at Post Office Box 11263, Columbia, South Carolina 29211 and John M. S. Haefel, Esquire, at the above address, on or before December 26, 2007, and indicate the amount of time required for his presentation.

Any person who wishes to be a party of record, but does not wish to present testimony or be a party of record, may do so by notifying the Docketing Department, in writing, at the address below on or before December 26, 2007. Please refer to Docket No. 2007-384-W/S.

PLEASE TAKE NOTICE: Any person who wishes to have his or her comments considered as part of the official record of this proceeding MUST present such comments, in person, to the Commission during the hearing.

For more information about the Commission's Procedures, please contact the Commission at (803) 691-5100.

Public Service Commission of South Carolina  
Attn: Docketing Department  
Post Office Box 11269  
Columbia, South Carolina 29211  
Ad no 06553329

**BEFORE**  
**THE PUBLIC SERVICE COMMISSION OF**  
**SOUTH CAROLINA**

**DOCKET NO. 2007-384-WS**

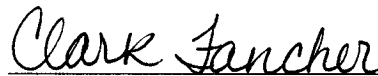
IN RE:

Application of Carolina Water Service,  
Inc. for Approval of a Contract with  
Ashworth Development Company and  
Hitchens Development Company, d.b.a.  
Heron Cove Joint Venture to serve  
Evergreen Subdivision

**CERTIFICATE OF SERVICE**

This is to certify that I have caused to be served this day one (1) copy of **Affidavit of Publication** by placing same in the care and custody of the United States Postal Service with first class postage affixed thereto and addressed as follows:

Jeffrey M. Nelson, Esquire  
**Office of Regulatory Staff**  
Post Office Box 11263  
Columbia, South Carolina 29211

  
Clark Fancher

Columbia, South Carolina  
This 14<sup>th</sup> day of December, 2007.